



888 SEVENTH AVENUE  
NEW YORK, NY 10019  
[www.bursor.com](http://www.bursor.com)

YITZCHAK KOPEL  
Tel: 646.837.7127  
Fax: 212.989.9163  
[vkopel@bursor.com](mailto:vkopel@bursor.com)

March 9, 2018

**Via ECF and Email**

The Honorable William H. Pauley III  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, New York 10007  
Jonathan\_mccann@nysd.uscourts.gov

Re: *Hart v. BHH, LLC d/b/a Bell + Howell, et al.*, Case No. 15-cv-04804

**Request to File Under Seal**

Dear Judge Pauley:

I write on behalf of Plaintiffs Joanne Hart and Sandra Bueno (“Plaintiffs”) in the above action. Pursuant to Rule V.A of Your Honor’s Individual Practices, Plaintiffs respectfully request leave to file under seal Exhibits 24 and 26<sup>1</sup> of the Declaration of Yitzchak Kopel in Support of Plaintiffs’ Motions to Preclude the Expert Testimonies of Dr. Paul Borth and Dr. Philip Whitford and the Rebuttal Expert Testimony of Stefan Boedeker, as well as the Declaration of Colin B. Weir.

On November 10, 2016, the parties entered into an agreement for the discovery of confidential information (the “Agreement”) at the request of several third parties who were producing proprietary business information in response to subpoenas served in this action. A copy of the agreement is attached hereto as **Exhibit 1**.

The filings contain proprietary business information that third parties to this case have designated as confidential under the Agreement. Plaintiffs therefore seek to file the documents under seal to avoid public disclosure of this sensitive information.

Pursuant to Rule V.A of Your Honor’s Individual Practices, I have attached (1) one full set of the documents with the words, phrases, or paragraphs to be redacted highlighted; and (2) one partial set of solely those pages on which the party seeks to redact the material as **Exhibit 2 through Exhibit 6**:

**Exhibits 2 & 3: Exhibit 24 to the Declaration of Yitzchak Kopel, and individual pages containing redacted information;**

---

<sup>1</sup> Defendants have designated the entirety of Exhibit 26 as confidential.

**Exhibit 4: Exhibit 26 to the Declaration of Yitzchak Kopel (Defendants have designated this document as confidential in its entirety)**

**Exhibits 5 & 6: Declaration of Colin Weir, and individual pages containing redacted information;**

Very truly yours,



Yitzchak Kopel

CC: All counsel of record (via email)

Application granted.

SO ORDERED:



WILLIAM H. PAULEY III

U.S.D.J.

3-9-18